

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

- 5    1.    (Canceled)
2.    (Canceled)
3.    (Currently amended) A downhole tool as claimed in Claim 4 24 wherein the barrier includes a surface ~~engageable~~ engageable with the well casing or liner to provide a seal such that fluid is substantially restricted from passing the tool.
- 10   4.    (Original) A downhole tool as claimed in Claim 3 wherein the surface is a wiper so that as the tool is moved within the well bore the casing or liner is cleaned when the surface is engaged.
5.    (Canceled)
6.    (Canceled)
- 15   7.    (Currently amended) A downhole tool as claimed in Claim 6 24 wherein, well fluid within the well bore acts as the hydraulic fluid to operate the actuating means.
8.    (Currently amended) A downhole tool as claimed in Claim 2 24 wherein the actuating ~~means~~ hydraulic actuator includes a ball valve.

9. (Original) A downhole tool as claimed in Claim 8 wherein the barrier is actuatable through a drop ball released at the surface and carried through a bore in the work string and selectively actuatable as the drop ball is deformable.
10. (Currently amended) A downhole tool as claimed in Claim ~~2~~ 24 wherein the tool  
5 includes a plurality of fluid flow paths through the tool body.
11. (Original) A downhole tool as claimed in Claim 10 wherein one or more of the fluid flow paths includes a filter so that well fluid can be filtered downhole.
12. (Currently amended) A downhole tool as claimed in Claim 10 wherein one or more of the fluid flow paths forms a hydraulic line for the actuation of a feature of the downhole  
10 tool.
13. (Currently amended) A downhole tool as claimed in Claim 10 wherein the ~~one or more~~ fluid flow paths have an inlet and an outlet arranged on an outer surface of the tool on either side of the barrier.
14. (Canceled)
15. (Currently amended) A downhole tool as claimed in Claim ~~44~~ 25 wherein the ~~filtration~~  
filtering means is a screen sized to prevent particles of a predetermined size from passing therethrough.
16. (Currently amended) A downhole tool as claimed in Claim ~~44~~ 25 wherein the tool includes a trap for collecting debris.

17. (Currently amended) A downhole tool as claimed in Claim 14 25 wherein the resilient member is a rubber ball.
18. (Currently amended) A downhole tool as claimed in Claim 14 25 wherein the resilient member is an inflatable bladder.
- 5 19. (Currently amended) A downhole tool as claimed in Claim ~~14~~ including 25 wherein the barrier ~~having~~ has a surface engageable with the well bore to provide a seal.
20. (Canceled)
21. (Canceled)
22. (Currently amended) A method as claimed in Claim ~~20~~ 26 wherein the method includes  
10 the step of actuating the barrier until the barrier sealingly engages the wall of the well bore and thus substantially restricts fluid flow passing the tool.
23. (Currently amended) A method as claimed in Claim ~~20~~ 26 wherein the method includes the step of filtering the fluid ~~flow~~ flowing through the flow path in the tool.
24. (New) A downhole tool for use in a cased or lined well bore, the tool comprising:  
15 a body connectable in a work string, the body having a fluid flow path therethrough;  
a barrier comprising a resilient member, the barrier located at an outer surface of the tool; and  
a hydraulic actuator comprising a retainer and a piston member;

wherein the barrier is actuatable to control fluid flow past the tool and to selectively divert fluid flow through the flow path;

and wherein the resilient member is initially held in compression by the retainer to allow fluid flow past the tool;

5 and further wherein the barrier is actuated by the piston member which releases the retainer to cause the resilient member to deform by expanding so that the resilient member extends towards a wall of the well bore to divert fluid flow through the flow path.

25. (New) A downhole tool for collecting loose debris particles within a well bore, the tool comprising:

10 a body connectable in a work string, the tool body having a fluid flow path therethrough, the fluid flow path including means for filtering debris particles;

a barrier comprising a resilient member, the barrier located at an outer surface of the tool; and

a hydraulic actuator comprising a retainer and a piston member;

15 wherein the barrier deforms on actuation to control fluid flow past the tool and to selectively divert fluid flow through the flow path;

and wherein the resilient member is initially held in compression by the retainer to allow fluid flow past the tool;

20 and further wherein the barrier is actuated by the piston member which releases the retainer to cause the resilient member to deform by expanding so that the resilient member extends towards a wall of the well bore to divert fluid flow through the flow path.

26. (New) A method of controlling fluid flow in a well bore, comprising the steps:

- (a) running a tool having an actuable barrier comprising a resilient member on a work string downhole;
- (b) creating relative movement between the fluid in the well bore and the tool;
- (c) initially holding the resilient member in compression using a retainer of a hydraulic actuator of the tool, to permit fluid flow past the tool along an annulus defined between the tool and a wall of the well bore;
- (d) actuating a piston member of the hydraulic actuator to release the retainer, whereupon the resilient member deforms by expanding and extends towards the wall of the well bore to vary a cross sectional area of the annulus between the tool and the wall of the well bore, thereby controlling fluid flow past the tool and diverting fluid through a flow path in a body of the tool.